

JOSEPH B. EATON.

[To accompany Bill H. R. No. 371.]

MARCH 19, 1860.

Mr. STANTON, from the Committee on Military Affairs, made the following

## REPORT.

*The Committee on Military Affairs, to whom was referred the petition of Joseph B. Eaton for payment of a claim for horses and other property furnished for the use of the mounted volunteers commanded by Lieutenant Colonel John C. Frémont, in California, during the Mexican war, submits the following report:*

That the petitioner claims payment for twenty-five horses, one saddle, and a small lot of percussion caps, purchased of one Moses Carson by Lieutenant J. W. Revere, of the United States navy, for the use of the mounted volunteers commanded by Lieutenant Colonel John C. Frémont, in California, during the war with Mexico, in the month of October, 1846, for which Lieutenant Revere gave his due bill, amounting to \$653, to said Carson, and which was transferred to the petitioner by said Carson in the regular course of mercantile transactions in California.

It appears from the evidence before the committee that the due bill or certificate so issued to said Moses Carson by Lieutenant Revere, certifying that there was "due to said Moses Carson, for saddles, horses, arms, &c., (as per account,) purchased for the service of the United States, by order of Lieutenant Colonel John C. Frémont, six hundred and fifty-three dollars," with an endorsement thereon by said Lieutenant Colonel Frémont, stating that it was "within his knowledge that said supplies were furnished by Moses Carson for the service of the United States," was submitted to the board of officers appointed by the War Department, in pursuance of the sixth section of the act of Congress for the support of the army, approved August 31, 1852; but on the 11th of February, 1854, said board decided to hold the claim suspended "in order to receive from Mr. Jacob Leese (through the Fourth Auditor) the original bills or accounts which were deposited by Lieutenant Revere with Mr. Leese." Before said original bill of purchase was found in the Fourth Auditor's office, however, the said board was dissolved, whereby this claim failed to be included in the report of "claims allowed" by said board, for the payment of which Congress made the necessary appropriation.

Subsequently said original bill of purchase has been found among the files of the Fourth Auditor's office, and a certified copy of the same is now before the committee, strictly corresponding with the due bill or certificate issued by Lieutenant Colonel Revere to said Moses Carson, as aforesaid.

It is proved by a certificate of the Fourth Auditor, dated December 20, 1859, that no payments have been made by the United States on account of said purchases.

It is proved by the deposition of one Wm. D. Phelps, who was the agent of the petitioner in California from February, 1846, to September, 1848, that during said time he, as agent of the petitioner, bought said due bill or certificate at par in the usual course of trade.

The committee are of opinion that the petitioner has a just claim against the United States for the full amount of said certificate or due bill, viz: six hundred and fifty-three dollars; and therefore report the accompanying bill for his relief.